

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION
AT ALBANY, GEORGIA**



MINUTE SHEET OF COURT PROCEEDINGS (UNCONTESTED)

Date: February 27, 2009

Type of Hearing: MOTIONS HEARING

Judge: W. LOUIS SANDS

Court Reporter: R. Darlene Pino

Courtroom Deputy: Joan B. King

Interpreter:

Case Number: 1:07-CR-18-001 (WLS)

U.S.A.

Counsel: Jim Crane
Chantel Febus

vs.

FRANK RUSSELL McCOY

Counsel: Morad Fakhimi
Catherine Leek

Agents/experts in attendance: Staff Attorney M. Meeks

DISCLAIMER: CONTENTS OF THIS MINUTE SHEET ARE FOR ADMINISTRATIVE PURPOSES ONLY AND ARE NOT MEANT AS A SUBSTITUTION FOR THE OFFICIAL COURT RECORD. ATTORNEYS SHOULD CONTACT THE COURT REPORTER AND ORDER A TRANSCRIPT IF THERE ARE ANY QUESTIONS AS TO THE CONTENTS HEREIN.

Court time for JS10/MJSTAR: 3 /40

Government presented Motion to Unseal Search Warrant (Doc. #6) and basis for same. Defendant's Response. Motion granted 1/26/09 and considered moot.[1:08-MJ-37 (RLH)} .

Defendant presented Motion to Dismiss Indictment for Lack of Jurisdiction (Doc. #33) and basis for same. Government's Response.

Defendant presented Motion to Dismiss Indictment (Doc. #34) and basis for same. Government's Response.

Defendant presented Motion to Dismiss Indictment for Government Misconduct Before Grand Jury (Doc. #50) and basis for same [incorporating Motion to Unseal Transcripts of Grand Jury Proceeding (Doc. #41)]. Government's Response.

Defendant presented Motion to Dismiss for Failure to State an Offense (Doc. #70) and Amended Motion (Doc. #72) and basis for same. Government's Response.

Defendant presented Motion to Suppress (Doc. #73) and basis for same. Government's response.

Government advised the Court it would stand on its briefing and would not be calling witnesses.

The Court inquired as to any further briefing for substantive consideration. Defendant advised he had further arguments to be brought at a later time to preserve the appellate record.

Government to identify experts by 3/6/09; Defendant by 4/6/09, if additional time is needed parties are to notify the Court.